## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

REBECCA BROWN, et al.,	)
Plaintiffs,	) ) Civil Action No. 2:20-cv-64-LPI
v.	) ) )
TRANSPORTATION SECURITY ADMINISTRATION, et al.,	) MOTION TO DISMISS
Defendants.	) )

## STEVEN DAWKIN'S MOTION TO DISMISS THE INDIVIDUAL-CAPACITY CLAIM AGAINST HIM IN THE FIRST AMENDED COMPLAINT

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendant Steven W. Dawkin, sued in his individual capacity, respectfully moves this Court for an order dismissing Count V, the sole claim asserted against him. This Motion is based on the facts, law, and discussion contained in the accompanying Brief in Support, filed simultaneously herewith and incorporated herein by reference. A proposed order and certification of counsel are attached.

WHEREFORE, Defendant Steven W. Dawkin respectfully requests that the Court issue an order dismissing the sole claim asserted against him (Count V) with prejudice.

Dated: August 28, 2020 Respectfully submitted,

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C. SALVATORE D'ALESSIO, JR. Acting Director Torts Branch, Civil Division

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## /s/ David Inkeles

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## CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of August, 2020, a true and correct copy of Steven W. Dawkin's Motion to Dismiss was served upon the attorney of record for each other party by means of the District Clerk's CM/ECF electronic filing system.

/s/ David Inkeles
DAVID W. INKELES
Trial Attorney, U.S. Department of Justice